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HIGH COURT OF JUDICATURE AT BILASPUR : CHHATTISGARH

SINGLE BENCH : HON'BLE SHRI S.R. NAYAK, C.J.

WRIT PETITION NO. 1849 OF 2003

PETITIONER : Sardar Jagdish Singh Bhatia, S/o. Late Sardar Avatar Singh Bhatia, Aged about 48 years, Occupation – Business, R/o. Budhwaripara, Dongargarh, Tahsil Dongargarh, Dist. Rajnandgaon (C.G.)

Versus

RESPONDENT : State of Chhattisgarh, Through Secretary, Department of Home, D.K.S. Bhawan, Raipur (C.G.)

Present : Shri Alok Bakshi, learned counsel for the petitioner.
Shri Sanjay S. Agrawal, learned G.A. for the State.

(ORAL ORDER)
(Passed on 01st May, 2006)

The petitioner claiming to be a victim of anti-Sikh riots on 31-10-1984 when former Prime Minister of India, Late Smt. Indira Gandhi was brutally assassinated and that he sustained a bullet injury in his pelvic region and due to that, he had to spend considerable sum of money and sustained heavy loss, has filed this writ petition for a direction to the State Government to pay compensation to the tune of Rs.1 lakh and to bear all other expenses incurred by him towards medical treatment. This writ petition was presented before this court on 21-06-2003, roughly after 19 long years from the alleged date of injury sustained by the petitioners. In paragraph 4 of the writ petition which deals with the delay in filing the writ petition, it is stated thus :

> "The petitioner was seriously ill for a long period and after recovery he had been making representations for grant of

compensation to him but when no heed was given to the request of the petitioner, he has approached this Hon'ble Court."

(2) In the first place, the above explanation is not an explanation at all as expected in law. Secondly, it is as vague as it could be. Thirdly, the assertion made in the said paragraph cannot be verified at all by adopting any norm and technique. In that view of the matter and for the very same reason stated by this Court in order dated 27-04-2006, passed in W.P. No. 2201/2006, this writ petition is liable to be dismissed in *limine* on the ground of delay and laches. The law helps diligent and not indolent. If the petitioner has slept over his right all these 19 years before approaching this Court at his peril, he cannot complain to this Court, at this belated stage. Furthermore, it needs to be noticed that many pieces of relevant evidence must have disappeared by this time. In that view of the matter, I dismiss the writ petition on the ground of delay and laches. While issuing certified copy, the Registry is directed to enclose a copy of order dated 27-04-2006, passed in W.P. No. 2201 of 2006, at the cost of the petitioner. No costs.

Sd/-

Chief Justice